

Exhibit 16

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

TS-OPTICS CORPORATION,

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Plaintiff,

§

VS.

§ Civil Action No. 8:24-cv-01974-DOC-DFM

MICROSOFT CORPORATION,

JURY TRIAL DEMANDED

Defendants.

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**DECLARATION OF DR. RONALD BARRETT IN SUPPORT OF DEFENDANT'S
OPENING CLAIM CONSTRUCTION BRIEF**

as a means-plus-function term. But it is my opinion that the claim term fails to recite sufficiently definite structure or else recites function without reciting sufficient structure for performing that function. Specifically, after considering the words of the claims and the intrinsic evidence, and based on my experience, it is my opinion that there is no sufficiently definite structure that a POSITA would understand for the “virtual controller client” and “virtual controller client” does not connote any particular structure or class of structure to a POSITA.

72. In my opinion, a POSITA would not understand “virtual controller client” to connote structure because the term is not a term of art and has no established structural meaning. Based on my education and experience, and after reviewing the intrinsic evidence, it is my opinion that “virtual controller client” does not refer to any particular class of known structures or components either in the technical literature or technical dictionaries. It is also my opinion that the term does not identify any physical circuitry, hardware module, or software architecture with known structure. Rather, “client” in the context of computing and network systems is a generic, functional term typically used to denote a device or program that requests services from a corresponding “server.” On its own, “client” is a common word in the computing field that does not identify any particular structure. *See* Ex. 20 (MICROSOFT COMPUTER DICTIONARY (102) (5th ed. 2002) (defining “client” as “On a local area network or the Internet, a computer that accesses shared network resources provided by another computer (called a server.”)); Ex. 21 (OXFORD ENGLISH DICTIONARY, <https://doi.org/10.1093/OED/1178715870> (last visited July 21, 2025) (defining “client” as “A program used to access a service or data that is provided and managed centrally by a server, esp. over a computer network; a networked computer used to access such a service or data.”)). A “client” has also been defined in industry standard coursework as a computer that gets information from another computer called server in the context of client-server model of

computer networks. The server is often (but not always) on another computer system, in which case the client accesses the service by way of a network. *See MICROSOFT OFFICIAL ACADEMIC COURSE, Exam 70-643: Windows Server 2008 Applications Infrastructure Configuration* (John Wiley & Sons, 1st ed. 2008) (physical copy on file with Dr. Barrett).

73. The use of “virtual controller” as a modifier does not alter this analysis. “Virtual” denotes that the functionality is software-based or emulated rather than physical, and “controller” is also a generic term commonly used to refer to a device or program that performs control-related functions. Taken together, “virtual controller client” is merely a functional label for software that interacts with a server or Wi-fi network to facilitate some type of user control or input. It provides no meaningful structural limitation and is simply a black-box reference to unspecified functionality and unspecified associated components.

74. In addition, the specification treats the term so broadly as to generically be anything that performs the recited function involving downstream or associated components. In particular, the specification describes the “virtual controller client” in general, functional terms, most of which merely parrots the functional claim language and none of which identify any corresponding structure. For example:

- “According to an aspect of the present invention, there is provided a **virtual controller client**, the **virtual controller client** operating based on a mobile terminal so that the **virtual controller client** can remotely communicate with a virtual controller server running on a computer for remote key input on an application running on the computer...” Ex. 1, '709 Patent at 1:58–64.
- “According to another aspect of the present invention, there is provided a virtual controller server, the virtual controller server operating on a computer so that the virtual controller server can remotely communicate with a **virtual controller client** running on a remote mobile terminal including a touch screen for remoter key input on an application running on the computer.” *Id.* at 2:34-41.
- “a server message interfacing unit configured to transmit a setting message including the button setting information to the **virtual controller client**, and to

IX. Supplementation and Conclusion

231. I reserve the right to supplement this declaration based on additional information, including but not limited to Plaintiff's claim construction arguments and any opinions offered by any other expert or testimony from any other witnesses in these proceedings.

232. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on the 25th day of July 2025 in Las Vegas, NV.



Dr. Ronald Barrett